

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

WILLIAM DUANE RICHMOND,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
VS.)	
)	3:11-CV-0560-G (BD)
GARLAND POLICE SWAT, ET AL.,)	
)	
Defendants.)	

ORDER

The United States Magistrate Judge made findings, conclusions and a recommendation in this case. The plaintiff filed objections, and the district court has made a *de novo* review of those portions of the proposed findings and recommendation to which objection was made. After due and proper consideration of all portions of this file deemed relevant to the issues raised, the court **ACCEPTS** the magistrate judge's findings, conclusions, and recommendation subject to the exception discussed below.

In his written objection to the findings, conclusions, and recommendation of the magistrate judge, the plaintiff identifies by name two officers of the Garland Police Department that he claims violated his civil and constitutional rights. Written

Objection to Recommendation of the Honorable Judge Jeff Kaplan Dated April 15, 2011 (“Objections”) at 1. Specifically, the plaintiff identifies officer “M. St. Clair” as the individual who “knead me in my back and dragged me across the floor,” and “Detective Olvera” as the individual who “[t]wisted plaintiff[’s] fingers causing pain” and “[a]llowed Garland SWAT officer St. Clair #5940 to abuse plaintiff during arrest.” *Id.* at 1-2. The plaintiff contends that his identification of the two officers and allegations of “how they harmed plaintiff should resolve the issue of stating a claim upon which relief may be granted.” *Id.* at 2. The court agrees.

The plaintiff is only required to identify potential defendants with enough specificity to enable the court to direct service of process. See *Staritz v. Valdez*, No.3-06-CV-1926-D, 2007 WL 1498285, at *2 (N.D. Tex. May 21, 2007) (Fitzwater, J.) (“Unless and until plaintiff is able to identify these guards, the court cannot direct service on the proper defendants.”). The plaintiff’s identification of SWAT Officer M. St. Clair and Detective Olvera, by name, satisfies this requirement.

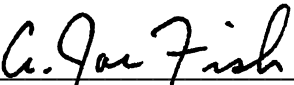
With the qualification set forth above, the magistrate judge’s findings, conclusions, and recommendation are accepted as the findings and conclusions of the court.

The plaintiff’s claims against the City of Garland, the Garland Police Department, and any unidentified Garland police officers are summarily

DISMISSED. However, the plaintiff may proceed with his claims against SWAT Officer M. St. Clair and Detective Olvera.

SO ORDERED.

May 10, 2011.



A. JOE FISH
Senior United States District Judge